IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE

WRIT PETITION NO. 1383 OF 1997

Mr. Rajaram Pandurang Katkar .. Petitioner

Vs.

The State of Maharashtra and ors. .. Respondents

WITH
WRIT PETITION NO. 1384 OF 1997

Mr. Badshah Abdulmutalib Nayakwadi .. Petitioner

Vs.

The State of Maharashtra and ors. .. Respondents

WITH
WRIT PETITION NO. 1385 OF 1997

Mr. Shashikant Laxmanrao Vibhute .. Petitioner

Vs.

The State of Maharashtra and ors. .. Respondents

Mr. S.M. Dange with Mr. L.T. Satelkar for petitioner in all the matters.

Ms. S.S. Bhende, AGP for respondent nos.1 and 2 in all the matters.

CORAM : B. H. MARLAPALLE &
D. B. BHOSALE,JJ.

Date : APRIL 12, 2006.

P.C.:

1. The affidavit in reply filed by the Administrative Officer from the office of the Joint Director, Higher Education, Kolhapur Region, Kolhapur states that the letter dated 4/7/1994 has been

withdrawn by the Government vide its letter dated 31/10/2002 and subsequently the Government of Maharashtra has issued a GR dated 31/7/2004 setting out the details of the career advancement scheme and the said scheme also covers the post of physical Directors/Librarians. It has been further clarified that the letter dated 6/1/1990 is in force and the service of the petitioner has already been counted from the date of his appointment for giving him benefit of career advancement scheme promulgated vide GR dated 31/7/2004.

2. The learned counsel for the petitioner has invited our attention to the common judgment dated 5/7/2004 in connected Writ Petitions (W.P.No.559/1995 and others). In the said judgment this court (DB) referred to the letter dated 31/10/2002 so as to withdraw the impugned letter dated 4/7/1994 and stated that the said decision was subject to the final outcome in the pending petitions. This court quashed and set aside the letter dated 4/7/1994 and in the light of the Government Resolution dated 31/10/2002 restored the decision as regards pay scale and security in accordance with the letter 6/1/1990. This court further directed the respondents to grant necessary benefits to the petitioner as per the said

letter dated 6/1/1990 within a period of three months from the date of the judgment. Even though by GR dated 31/7/2004 the Government has set out the details of career advancement scheme and the petitioners' service has been counted from the date of their initial appointment for the benefit of career advancement, to remove any doubt we have to issue same directions and, therefore, we direct the respondents to grant necessary benefits to the petitioners, if not granted earlier, as per the said letter dated 6/1/1990 within a period of three months from today.

3. The petitions are disposed off in terms of the above directions and Rule is made absolute accordingly.

(D.B. Bhosale,J.) **(B.H. Marlapalle, J.)**